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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,830	01/17/2002	Katsuyuki Saito	P/16-301 DIV	6899
2352	7590	01/21/2005	<div>EXAMINER</div> <div>PHILIPPE, GIMS S</div>	
<b>OSTROLENK FABER GERB &amp; SOFFEN</b> 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			<div>ART UNIT</div> <div>2613</div>	<div>PAPER NUMBER</div>

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/046,830

Applicant(s)

SAITO ET AL.

Examiner

Gims S Philippe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 14-20,31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-20,31 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01142005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is a first action in response to application no. 10/046,830 filed on January 17<sup>th</sup> 2002 in which claims 14-20 and 31-32 are presented for examination following a preliminary amendment canceling claims 1-13 and 21-30 and adding claim 31-32.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 14-19 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Hiyama et al. (US Patent no. 5379757).

Regarding claims 14 and 32 Hiyama discloses an endoscopic imaging system, comprising an imaging means for projecting an object image, (See col. 8, lines 52-56) and a signal processing means for processing an image signal outputted from said imaging signal means, wherein said signal processing means comprises a signal processing circuit for processing said image signal outputted from said imaging means to produce a video signal (See col. 8, lines 55-68), a plurality of adjusting circuits for adjusting the properties of the video signal sent from said signal processing circuit (See col. 42, lines 34-45, and col. 68, lines 50-54); a portable recording medium slot to which

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a portable recording medium for storing pre-recorded adjustment values for adjustments by said adjusting circuits is detachably connectable (See col. 16, lines 4-7, lines 11-23, lines 32-34, and lines 41-44); and a control circuit for controlling operations of said adjusting circuits according to adjustment values stored in a portable recording medium connected to said portable recording medium slot (See col. 34, lines 45-60, and col. 16, lines 4-36).

As per claims 15-16, 18, most of the limitations of these claims have been noted in the above rejection of claim 14. In addition, Hiyama further discloses a white-balance adjusting element that can be detachably attached to the signal processor (See col. 1, lines 17-23, col. 68, lines 43-50).

As per claims 17, and 19, most of the limitations of these claims have been noted in the above rejection of claim 14. In addition, Hiyama further discloses storing a plurality of types of adjustment values on separate external storage (See col. 16, lines 4-36).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 20 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiyama et al. (US Patent no. 5379757) in view of Enomoto et al. (US Patent no. 5967969).

Regarding claims 20 and 31, most of the limitations of these claims have been noted in the above rejection of claims 18 and 19. It is noted that Hiyama is silent about the endoscopic imaging system comprising an alarm circuit for giving an alarm to show connection with a signal processor.

Enomoto discloses an endoscopic imaging system comprising an alarm circuit for giving an alarm to show connection with a signal processor (See col. 11, lines 38-47).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Hiyama's endoscopic system by providing Enomoto's alarm circuit for giving an alarm to show connection with a signal processor. The motivation for performing such modification in Hiyama is to avoid failure of the endoscope system as taught by Enomoto.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

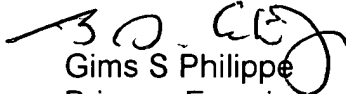
Yonemitsu et al. (US Patent no. 5510840) teaches method and devices for encoding and decoding frame signals and recording medium therefor.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gims S Philippe  
Primary Examiner  
Art Unit 2613

GSP

January 18, 2005